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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCEREQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTALAddress to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/787,352
Filing Date	February 24, 2004
First Named Inventor	Shumin Yang
Art Unit	1633
Examiner Name	Sumesh Kaushal
Attorney Docket Number	1M-2-C1-C1-1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. ☐ Submission required under 37 CFR 1.114. Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time
2. ☐ Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. ☐ Fees. The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 081930. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Richard J. Stead</i>	Date <u>9/20/05</u>	September 20, 2005
Name (Print/Type)	Richard J. Stead Ph.D.	Registration No.	50,668

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Susan A. Gordon</i>	Date	September 20, 2005
Name (Print/Type)	Susan A. Gordon		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1150, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO 9199 and select option 2.

PAGE 2/9 \* RCVD AT 9/20/2005 2:52:45 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-631 \* DNIS:2738300 \* CSID:9706193011 \* DURATION (mm:ss):03:06

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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 20 2005

In Re the Application of:

Yang, Shumin  
McCall, Catherine A.  
Weber, Eric R.

Group Art Unit: 1633

Examiner: Kaushal, Sumesh

SUBMISSION WITH RCE

Serial No.: 10/787,382

Filed: February 24, 2004

Atty. File No.: IM-2-C1-C1-1

For: "CANINE IL-5 NUCLEIC ACID  
MOLECULES"

## CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING FACSIMILE TRANSMITTED TO EXAMINER  
SUMESH KAUSHAL, FAX NO. 571-273-8300,  
ADDRESSED TO MAIL STOP RCE, COMMISSIONER  
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA  
22313-1450, THIS 20TH DAY OF SEPTEMBER 2005.

HESKA CORPORATION

By: *Susan A. Gordon*

Susan A. Gordon

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This Submission is being filed with a Request for Continued Examination (RCE). Applicants authorize the RCE fee of \$395 to be charged to Deposit Account 081930. A Petition for a one-month extension of time extending the period for reply from July 20, 2005 to August 20, 2005 was previously filed with Applicants' Amendment and Response on July 27, 2005. Therefore, Applicants submit herewith a Petition for an additional one-month Extension of Time, thereby extending the period for reply from August 20, 2005 to September 20, 2005.

Applicants request entry of the following newly submitted claims which were previously filed, but not entered, after the Final Office Action mailed from the U.S. Patent and Trademark Office on April 20, 2005. Applicants further request consideration of the accompanying remarks.